UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

Plaintiff,

v.

XAXIS, INC.,

YUME INC,

Defendant.

Case No. <u>13-cv-05249-VC</u>

ORDER OF DISMISSAL

The Court has been advised by the parties on July 10, 2015 that the parties have resolved this case in principal. (Dkt. No. 42). Therefore, it is ORDERED that this case is DISMISSED without prejudice. All deadlines and hearings in the case are vacated. Any pending motions are moot.

The parties retain the right to reopen this action within 60 days of this Order if the settlement is not consummated. If a request to reinstate the case is not filed and served on opposing counsel within 60 days, the dismissal will be with prejudice.

IT IS SO ORDERED.

Dated: July 13, 2015

VINCE CHHABRIA United States District Judge